

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GEORGIA MORGAN, individually and
on behalf of other similarly situated,

Plaintiff,

v.

BAR VEGAN, LLC, AARON
MATTISON, JASON CRAIN and
AISHA “PINKY” COLE,

Defendants.

CIVIL ACTION NO.

1:22-CV-04498-JPB

ORDER

This matter comes before the Court on the parties’ Joint Stipulation and Motion for Entry of Order (“Joint Stipulation”) [Doc. 24]. Upon review, the Joint Stipulation is **GRANTED**. The Court further finds that for purposes of conditional certification:

1. Plaintiff and Opt-In Plaintiffs are, for purposes of this case only, sufficiently similarly situated to support conditional certification of the putative class as defined herein.

2. The putative collective class members include all individuals who worked as servers, waiters or bartenders and who received tips from Bar Vegan’s

customers at Bar Vegan's location during the applicable limitations period (November 11, 2019 to the present).

3. The Court hereby approves the issuance and dissemination of the Notice of Lawsuit and Opt-In Consent Form attached as Exhibit A and Exhibit B to the parties' Joint Stipulation, respectively.

4. Named Plaintiff Morgan Georgia and opt-in Plaintiffs Amber Abney and Kandus Leblanc are appointed as representative Plaintiffs. As such, they shall be the agents of the additional Opt-In Plaintiffs and shall have authority to make decisions on their behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' counsel concerning attorneys' fees and costs and all other matters pertaining to this lawsuit.

5. The Court approves the following procedures and deadlines with respect to notice to the putative collective class (herein "Collective") and orders that:

- a. Within five (5) business days from the date of the Court's Order granting conditional certification, Defendants will produce to counsel for Plaintiffs a list of the name and last known mailing address for each individual who qualifies for the Collective.
- b. Within five (5) business days from the date of receipt by counsel

for Plaintiffs of the above list, counsel for Plaintiffs shall make a reasonable attempt to independently confirm the accuracy of the Collective mailing addresses provided and cause to be mailed in an envelope preapproved by the parties via U.S. Mail with a self-addressed stamped return envelope to Plaintiffs' counsel the approved Notice and Opt-In Consent Form to the putative class members. There shall be no restrictions on Plaintiffs' counsel's ability to communicate with their clients and any opt-ins.

- c. Plaintiffs' counsel will provide notice to Defendants' counsel that the Notice and Opt-In Consent Forms have been sent.
- d. Any member of the Collective shall have forty-five (45) days from the date of mailing to return a signed copy of the Opt-In Consent Form to Plaintiffs' counsel for filing via U.S. Mail or electronic mail.
- e. All Opt-In Consents that are received by mail must be postmarked within forty-five (45) days from the date of mailing.


6. The Court orders the parties intend to engage in settlement negotiations for all the eventual opt-ins and participate in a mediation conference within sixty (60) days following the close of the opt-in period, unless the parties reach a mutual

agreeable resolution without the aid of mediation.

7. The Court orders the parties to report to the Court regarding the status of settlement negotiations within five days of the expiration of the sixty-day period referenced above.

8. In addition, all proceedings in this matter other than those set forth above are stayed upon entry of this Order, and the Court will extend the pretrial deadlines consistent with this stipulation and will enter an Order setting new deadlines, if necessary, following the end of the sixty-day period referenced above.

SO ORDERED this 2nd day of November, 2023.



J. P. BOULEE
United States District Judge